

REMARKS

With entry of this amendment, claims 86-88 have been newly added. As a result, claims 1, 25, 27, and 44-88 are pending in this application. Based on the foregoing amendments and following remarks, reconsideration and allowance of this application is respectfully requested.

Claim Rejections-35 U.S.C. §102

Claims 1, 27, 44, 47-51, 53, 67, 68, 74-78, 84, and 85 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,428,487 ("Burdoff"). Without acquiescence that Burdoff qualifies as a §102(e) prior art reference, and without prejudice to antedate this reference should it become necessary, Applicant respectfully traverses the rejections of these claims, since Burdoff does not disclose each and every element required by these claims.

In particular, independent claim 1 requires the processing device to be user programmable, such that the user can define an association between a medical function and a specific manner in which the actuating element is actuated. Independent claim 74 requires the processing device to be user programmable, such that the user can define a specific manner in which the actuating element is actuated to initiate a function. In contrast, the specific manners in which the vacuum button 50 of Burdoff is actuated and the associated functions are pre-defined, and therefore, cannot be defined by the user.

Independent claim 27 has been amended to require the at least two medical functions to be in different categories. For example, one category may be tissue ablation, and the other category may be tissue mapping. In contrast, the functions associated with

the vacuum button 50 of Burdoff are all in the same category; that is, the category related to tissue aspiration.

Independent claim 84 has been amended to clarify that the processing device is configured for marking or highlighting the displayed image in response to an actuation of the actuating element. In contrast, the control icons 346, 348, 350 displayed on the screen image 81 of Burdoff are highlighted before the vacuum button 50 is actuated (see col. 15, lines 44-48), and therefore are not highlighted in response to the actuation of the vacuum button 50.

Thus, Applicant submits that independent claims 1, 27, 74, and 84, as well as the claimed depending therefrom (claims 44, 47-51, 53, 67, 68, 75-78, and 85), are not anticipated by Burdoff, and as such, respectfully requests withdrawal of the §102 rejection of these claims.

Allowable Subject Matter

Applicant graciously acknowledges the Examiner's allowance of claims 25, 54-63, 70-73, and 79-83. While Applicant graciously acknowledges the Examiner's indication that objected to claims 45, 46, and 52 recited patentable subject matter, these claims have not been rewritten in independent format, since it is believed that independent claim 1 from which they depend is patentable over the cited prior art. Applicant has rewritten objected to claims 64, 65, and 69 in independent format as newly added claims 86-88.

Conclusion


Based on the foregoing, it is believed that all claims are now allowable and a Notice of Allowance is respectfully requested. If the Examiner has any questions or comments

regarding this amendment, the Examiner is respectfully requested to contact the undersigned at (949) 724-1849.

Respectfully submitted,

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